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SEP 14 2005

To: USPTO From: Mark Chao *Reg 37, 293*

Fax: 1-571-273-8300 Pages: 7 including cover page

Phone: Date: 9/14/2005

Re: 09/700,643 CC:

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This facsimile transmission comprises:

1. Request for Amendment under 37 CFR 1.312 and Petition to Withdraw from Issue under 37 CFR 1.313.
2. Petition Fee Transmittal form

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	09/700,643
	Filing Date	02/02/2001
	First Named Inventor	MATSUMOTO, Hirokazu
	Art Unit	1641
	Examiner Name	NGUYEN, Bao Thuy L
	Attorney Docket Number	2523 USOP

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500799:
- ☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

- ☐ Check in the amount of \$ _____ is enclosed.

- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.296 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.55(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.26 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.18(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Mark Chao

Typed or printed name

Signature

Date

37,293

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	09/700,643	Art Unit:	1641
Filed:	2/2/2001	Examiner:	NGUYEN, B
1 st Inventor:	Matsumoto, Hirokazu	Allowed:	9/8/04
For:	Antibody and Use Thereof	Batch:	
Atty. Dkt. No.	2523 USOP	Paper No.:	

REQUEST FOR AMENDMENT under 37 CFR 1.312,
And PETITION TO WITHDRAW FROM ISSUE under 37 CFR 1.313

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

VIA FACSIMILE TO 1-571-273-4300

Sir:

Applicants respectfully request the following amendment under 37 CFR 1.312 to correct an obvious inadvertent typographical error in the claims of this allowed case.

An issue fee has been paid in this case prior to the filing of this request.

In order to effect this amendment, Applicants petition under 37 CFR 1.313 to withdraw the application from issue for entry of the requested amendment.

09/16/2005 HVUONG1 00000067 500799 09700643
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AMENDMENT

Please rewrite the renumbered claims to read as follows:

1. (CURRENTLY AMENDED) A monoclonal antibody that specifically binds to a peptide having an amino acid sequence of residues 12 to ~~20~~ 24 of SEQ ID NO:2.

2. (PREVIOUSLY PRESENTED) The monoclonal antibody as claimed in Claim 1 which is a mouse IgG.

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3. (PREVIOUSLY PRESENTED) A method of detecting 19P2 ligand in a test fluid which comprises using the monoclonal antibody of Claim 1 in an assay, said assay comprising:
contacting the test fluid sample with said monoclonal antibody,
and
detecting any complexes formed from the binding of said 19P2 ligand with said monoclonal antibody, and
relating the presence or amount of said complexes to the presence or amount of 19P2 ligand in said sample.

4. (PREVIOUSLY PRESENTED) An isolated hybridoma cell producing the monoclonal antibody as claimed in Claim 1.

5. (PREVIOUSLY PRESENTED) The monoclonal antibody of claim 1, which specifically binds with a peptide having the amino acid sequence of SEQ ID NO: 11.

6. (PREVIOUSLY PRESENTED) A method for detecting 19P2 ligand in a sample, comprising:

contacting said sample with a monoclonal antibody of claim 5, and

detecting any complexes formed from the binding of said 19P2 ligand to said monoclonal antibody, and

relating the presence or amount of said complexes to the presence or amount of 19P2 ligand in said sample.

7. (PREVIOUSLY PRESENTED) The method of claim 6 further comprising: assaying said sample wherein said 19P2 ligand is attached to a carrier.

8. (PREVIOUSLY PRESENTED) The method of claim 6 wherein said monoclonal antibody is attached to a carrier.

9. (PREVIOUSLY PRESENTED) The method of claim 6 wherein said monoclonal antibody is attached to a detectable signal or label.

10. (PREVIOUSLY PRESENTED) The method of claim 6 which is a sandwich assay.

11. (PREVIOUSLY PRESENTED) The method of claim 6 which is a competitive inhibition assay.

12. (PREVIOUSLY PRESENTED) The method of claim 6 in which the monoclonal antibody is P2L-1Ta as secreted by hybridoma NIBH 6300.

13. (PREVIOUSLY PRESENTED) A method for detecting 19P2 ligand in a sample, comprising:

contacting said sample with the monoclonal antibody of claim 5 and a second antibody comprising an antibody which specifically binds to a peptide having the amino acid sequence of SEQ ID NO: 7, and

detecting any complexes formed from the binding of the monoclonal antibody of claim 11, said 19P2 ligand and said second antibody, and

relating the presence or amount of said complexes to the presence or amount of 19P2 ligand in said sample.

14. (PREVIOUSLY PRESENTED) The monoclonal antibody of Claim 1, which specifically binds with a peptide having the amino acid

sequence of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:12.

15. (PREVIOUSLY PRESENTED) The monoclonal antibody of claim 1, which specifically binds with a peptide having the amino acid sequence of amino acid residues 12 to 24 of SEQ ID NO:1, amino acid residues 12 to 24 of SEQ ID NO:2, or amino acid residues 12 to 24 of SEQ ID NO:3.

16. (PREVIOUSLY PRESENTED) The monoclonal antibody of claim 1, which specifically binds with a 19P2 ligand peptide, but which does not bind with a peptide having the amino acid sequence of SEQ ID NO:4 or SEQ ID NO:6.

17. (PREVIOUSLY PRESENTED) The monoclonal antibody of Claim 1 which is P2L-1Ta as secreted by hybridoma NIBH 6300.

18. (PREVIOUSLY PRESENTED) An isolated hybridoma cell line, having accession number NIBH 6300, said cell line producing the antibody P2L-1Ta.

REMARKS**I. Claim Amendment**

The Notice of Allowance was mailed 9/8/04.

A request for amendment under 37 CFR 1.312 was filed 12/6/05 and entered 3/31/05.

The issue fee was paid 12/6/04.

Applicants have discovered that an inadvertent typographical error occurred in transcribing allowed Claim 4 (now renumbered as Claim 1), in the request for amendment under 37 CFR 1.312 was filed 12/6/05 and entered 3/31/05. The phrase "having an amino acid sequence of residues 12 to 24 of SEQ ID NO:2" was inadvertently typed as "...12 to 20...".

The amendments do not change the substance, meaning or breadth of the allowed claims.

Should the Examiner have any questions, she is respectfully invited to call applicants' attorney at the number below.

Respectfully submitted,

Dated: September 14, 2005

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CERTIFICATE OF FACSIMILE**TRANSMISSION UNDER 37 CFR 1.8**

The undersigned hereby certifies that this paper(s) is(are) being transmitted via facsimile to the Commissioner for Patents, PO Box 1450, Arlington, VA 22313-1450 on this date June 29, 2001, to the Central Fax Number 1-571-273-0300.


Mark Chao, Ph.D., Reg. No. 37,293